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7 IN THE UNITED STATES DISTRICT COURT  
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 CHARLES O. BRADLEY TRUST, ET AL.,  
11 Plaintiffs, No. C 04-02239 JSW  
12 v.  
13 ZENITH CAPITAL LLC, ET AL., **ORDER RE MODEL JURY  
14 Defendants. INSTRUCTION 1.12**  
15 \_\_\_\_\_/

16 As discussed at the pretrial conference on October 6, 2008, the Court HEREBY  
17 ORDERS that the parties file a joint submission either stipulating to the use of the Ninth  
18 Circuit's suggested model instruction 1.12 in the conduct of the jury or rejecting the use of such  
19 instruction by no later than October 10, 2008.

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21 Dated: October 7, 2008

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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE